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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,324	10/27/2000	Hanna Abi-Saleh	60976-0038-US	6705

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EXAMINER	
POON, KING Y	
ART UNIT	**PAPER NUMBER**
2624	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/699,324	ABI-SALEH, HANNA	
	Examiner	Art Unit	
	Kyle M Pendergrass	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 9/30/04.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) 1-22 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Pitt, III et al (US 5,675,520).

Regarding Claim 1, Pitt, III et al., discloses a data structure (fig 1, memory system 30). The office is interpreting a "data structure" to mean any organizational scheme applied to data so that operations can be performed on said data. As such, the memory system 30 inherently acts as a data structure. Pitt, III et al., further discloses an operating system 56 which is a windowing system with the architecture of Windows 95 (col 4 lines 35-44). It is inherent in Windows 95 to provide for a method of extracting a first set of control sequences from a first computer application program (i.e. col 4 line 11, "application programs") otherwise the applications would not execute without their own control sequences and the applications could not operate on the operating system. It is inherent in Windows 95 to provide for a method of extracting a second set of control sequences from a second computer application program (i.e. col 4 line 11, "application programs") otherwise the applications would not execute without their own control sequences and the applications could not operate on the operating system. Pitt, III et

al. discloses loading said first set of control sequences and said second set of control sequences into said data structure (col 4 lines 4-13, memory system 30 loads the application programs, all of which have inherent control sequences otherwise they could not be run on the operating system). Pitt, II et al., further discloses executing said first and second computer application programs using said first and second sets of control sequences in said data structure (col 4 lines 58-63, the operating system implements program loading and termination which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system).

Regarding Claim 2, Pitt, III et al., discloses using control sequences to open said first computer application program, perform a subroutine of said first computer application program, and close said computer application program (col 4 lines 9-13, the application programs run on the operating system, i.e. perform a subroutine. Furthermore, col 4 lines 58-63, the operating system implements program loading (open said computer application program) and termination (close said computer application program) which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system).

Regarding Claim 3, Pitt, III et al., discloses a graphical interface to prompt a user for selected control sequences (fig 6 and col 18 lines 53-61, the dialog box 90 and

application-defined controls 94 to the dialog box provide a graphical user interface that prompts a user to open a file (i.e. select control sequences of an application on the operating system)).

Regarding Claim 4 Pitt, III et al. discloses a spreadsheet in said graphical user interface (see fig 6 with spread sheet format).

Regarding Claim 5, Pitt, III et al., discloses using control sequences to run a computer application (col 4 lines 9-13, the application programs run on the operating system which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system).

Regarding Claim 6, Pitt, III et al., discloses using control sequences to open a computer application (col 4 lines 58-63, the operating system implements program loading (open) which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system).

Regarding Claim 7, Pitt, III et al., discloses using control sequences to close a computer application (col 4 lines 58-63, the operating system implements program termination (close) which includes executing the first and second computer applications

which both inherently include control sequences to operate the program on the operating system).

Regarding Claim 8, Pitt, III et al., discloses wherein a first set of control sequences open a document associated with a computer application. In col 4 lines 9-13, the application programs run on the operating system. Furthermore, col 4 lines 58-63, the operating system implements program loading (open) which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system. In regards to opening a document, Pitt, III et al., discloses an output device 26 in fig 1 such as a printer. It follows that an application program on the operating system is capable of printing a document, which necessitates the opening of that document. As stated before, for an application program to run on the operating system, control sequences are inherent otherwise it could not function. It follows that the control sequences of the application program that offers printing include a control sequence to open a document.

Regarding Claim 9, Pitt, III et al., discloses wherein a first set of control sequences print a document associated with a computer application. In col 4 lines 9-13, the application programs run on the operating system. Furthermore, col 4 lines 58-63, the operating system implements program loading (open) and termination (close) which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system. In regards

to printing, Pitt, III et al., discloses an output device 26 in fig 1 such as a printer. It follows that an application program on the operating system is capable of printing a document. As stated before, for an application program to run on the operating system, control sequences are inherent otherwise it could not function. It follows that the control sequences of the application program that offers printing include a control sequence to print a document that has been opened by another control sequence of the control sequence set.

Regarding Claim 10, Pitt, III et al., discloses wherein a first set of control sequences close a document associated with a computer application. In col 4 lines 9-13, the application programs run on the operating system. Furthermore, col 4 lines 58-63, the operating system implements program termination (close) which includes executing the first and second computer applications which both inherently include control sequences to operate the program on the operating system.

Regarding claims 11-20, Pitt, III et al., further discloses the operating system 56 with software for operating the above method of Claims 1-10 (see col 4 lines 60-63).

Regarding Claim 21, Pitt, III et al. discloses a detection method for a graphical user display for a first computer application. It is inherent that the instructions check if the application program has a graphical user interface (GUI) with a menu bar because the operating system operates each application stored in the system, and if an

application has a GUI, the operating system will run that GUI. Therefore, instructions to detect a GUI exist inherently in the system.

Regarding Claim 22, Pitt, III et al., discloses extracting a first control sequence corresponding to a second control sequence when menu items are selected from said menu bar. It is inherent that the instructions extract control sequences corresponding or depending on other or second control sequences, otherwise, the application programs would not continue to run. If the application program has a graphical user interface (GUI) with a menu bar, than a selection on a menu would be a control sequence extraction and the next control sequence needed to continue expected operation of the application program would be extracted. MS Windows 95 operates multiple programs with GUI's that allow menu bar selection as known in the art.

Response to Arguments

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle Pendergrass whose telephone number is **(571) 272-7438**. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KING Y. POON
PRIMARY EXAMINER